

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christian MERKLE et al.

Title: COMPONENT AND USE THEREOF AND METHOD FOR
THE PRODUCTION THEREOF

Appl. No.: 10/574,773

International 10/8/2004

Filing Date:

371(c) Date: 12/13/2006

Examiner: Patricia Lynn Engle

Art Unit: 3612

Confirmation 2525
Number:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of any of a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

The foregoing documents came to Applicants' attention during a search of the corresponding German application. The German Patent Office made certain characterizations of the references. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the German Search Report. A copy of the German Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Documents A3, A4 and A9 belong to the same "patent family," whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Documents A5 and A10 belong to the same "patent family," whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a "concise explanation of relevance" for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

Fees in the amount of \$180.00 to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c) are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date July 8, 2010

By



FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4618
Facsimile: (202) 672-5399

Matthew A. Smith
Attorney for Applicant
Registration No. 49,003